

REMARKS

This Response is submitted in reply to the Final Office Action dated July 14, 2008. Claims 1, 15, and 31 have been amended for clarity. No new matter has been added by such amendments. Claims 25 to 30 and 41 to 43 stand withdrawn. A Request For Continued Examination is submitted herewith. A Supplemental Information Disclosure Statement is submitted herewith. Please charge deposit account number 02-1818 for any fees associated with the RCE, the Supplemental IDS, and this Response.

The Office Action rejected claims 1, 3 to 15, 17 to 24, and 31 to 40 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,273,415 to Cregan et al. ("Cregan") in view of U.S. Patent No. 6,511,375 to Kaminkow ("Kaminkow"). Applicant respectfully disagrees and traverses this rejection for at least the following reasons.

Cregan discloses a gaming device having a bonus round with multiple selection groups. Each selection group contains a plurality of selections that remain masked until chosen (col. 5, ll. 33-37). The bonus round begins in the bottom selection group and advances upwardly, ending when the player chooses a predetermined number of selections from the last or final selection group (col. 2, ll. 31-34).

Kaminkow discloses a gaming device bonus round that contains a plurality of groups each having a plurality of elections that the player can pick and receive an award (abstract). The game directs the player through the bonus round and designates the group from which the player is currently enabled to pick (col. 2, ll. 52-54). The game informs the player until the player picks from each group in the screen until no more picks exist (col. 2, ll. 64-67). Kaminkow further discloses that all of the selection groups of the game may be focused on a particular theme, such as ordering a take-out meal for the entire family (col. 11, ll. 7-10). As illustrated in Fig. 7, the selection groups may each contain a plurality of images indicating dishes at a restaurant. The game directs a player to choose a number of dishes from each of the selection groups (col. 11, ll. 33-40). The game may display the awards of the picked and unpicked selections from a group when the player picks all the provided picks from each group (col. 11, ll. 40-42).

Amended independent claim 1 includes, amongst other elements, a processor configured to operate with at least one display device to display a plurality of different levels, and for each level display a clue associated with the level and a plurality of masked selections, wherein the clue indicates at least one preferred masked selection of the plurality of masked selections and wherein each masked selection is associated with one of a plurality of responses to the clue.

The Office Action stated that Cregan fails to disclose displaying for each level a clue associated with the level and a plurality of masked selections, wherein each masked selection is associated with one of a plurality of responses to the clue. The Office Action further stated that Kaminkow discloses a game comprising a plurality of selection groups wherein each selection group is associated with a theme/clue and wherein a player selects a masked selection response to the clue. The Office Action cited column 11, lines 5 to 60 of Kaminkow to support this propositions.

Applicant respectfully submits that the Office Action misinterpreted the differences between the prior art and the language of amended independent claim 1. Specifically, the Office Action interpreted Kaminkow displaying a clue associated with each of a plurality of levels. Applicant respectfully submits that Kaminkow does not disclose a clue for any of the levels. Rather, Applicant submits that a player of Kaminkow is given a plurality of picks from each of a plurality of groups of selections, wherein each group of selections may be represented by a plurality of food dishes. Each food dish of each group of selections may have a name. However, this name is not a clue. Specifically, the names of the food dishes do not indicate a preferred one of the food dishes within a group. Nor does any clue associated with the level indicate a preferred food dish. Applicant submits that Kaminkow does not disclose displaying an indicator of which of the dishes in a group of dishes is a preferred or best dish within the group; any indicator displayed by Kaminkow merely indicates a quantity of remaining picks for one of the groups of dishes.

On the other hand, amended independent claim 1 includes a processor configured to operate with at least one display device to display a plurality of different levels, and for each level display a clue associated with the level and a plurality of

masked selections, wherein the clue indicates at least one preferred masked selection of the plurality of masked selections and wherein each masked selection is associated with one of a plurality of responses to the clue. For at least these reasons, Applicant submits that amended independent claim 1 is patentably distinguished over Cregan in view of Kaminkow, and is in condition for allowance.

Dependent claims 3 to 14, which depend directly or indirectly from independent claim 1, are also allowable for the reasons given above with respect to independent claim 1, and because of the additional features recited in these claims.

Amended independent claims 15 and 31 (and dependent claims 17 to 24 and 32 to 40, which depend directly or indirectly from independent claims 15 and 31) each include certain similar elements to amended independent claim 1. For similar reasons to those given above with respect to claim 1, Applicant respectfully submits that amended independent claims 15 and 31 (and dependent claims 17 to 24 and 32 to 40) are patentably distinguished over Cregan in view of Kaminkow and are in condition for allowance.

The Office Action also rejected dependent claims 2 and 16 under 35 U.S.C. §103(a) as being unpatentable over Cregan in view of Kaminkow and further in view of U.S. Published Application No. 2003/0045349 to Hughs-Baird ("Hughs-Baird"). Applicant respectfully disagrees and traverses this rejection for at least the following reasons.

The Office Action stated that Cregan in view of Kaminkow fails to disclose a "stay" type pick that enables a player to pick another pick from the same level without a count against the pick counter. The Office Action relied on Hughs-Baird to remedy such deficiency, noting that Hughs-Baird discloses a "pick again" pick.

Claim 2, which depends directly from amended independent claim 1, includes, among other elements, a processor configured to operate with at least one display device to display a plurality of different levels, and for each level display a clue associated with the level and a plurality of masked selections, wherein the clue indicates at least one preferred masked selection of the plurality of masked selections

and wherein each masked selection is associated with one of a plurality of responses to the clue. Applicant submits that regardless of whether Hughs-Baird discloses a "pick again" pick, as stated by the Office Action, neither Cregan, Kaminkow, or Hughs-Baird alone, nor the gaming device resulting from the combination of Cregan, Kaminkow, and Hughs-Baird, discloses for each level displaying a clue associated with the level, wherein the clue indicates at least one preferred masked selection. Moreover, it would not have been obvious to one of ordinary skill in the art to modify the gaming device resulting from the combination of Cregan, Kaminkow, and Hughs-Baird to disclose such a gaming device.

Applicant therefore submits that claim 2 is patentably distinguished over Cregan in view of Kaminkow and further in view of Hughs-Baird and is in condition for allowance.

Claim 16, which depends directly from claim 15, includes certain similar elements to claim 2. For reasons similar to those given above with respect to claim 2, Applicant submits that claim 16 is patentably distinguished over Cregan in view of Kaminkow and further in view of Hughs-Baird, and is in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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